IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3478 OF 2006.

Deepak s/o.Dinkar Chikatwar & anr. ... Applicants.
Versus.
State of Maharashtra & anr. ... Respondents.

Shri A.N.Irpatgive i/by Shri V.M.Maney for
the Applicants.
Shri A.S.Shitole, A.P.P. for the Respondent-State.

CORAM : ABHAY S.OKA, J.
DATED : 27th September, 2006.

P.C.:

1. Heard the learned Advocate appearing for the Applicants. The Applicants by filing this application under section 482 of the Code of Criminal Procedure, 1973 have taken exception to the order passed by the learned Magistrate on 27th February 2006 by which process has been issued by the learned Magistrate on a private complaint filed by the 2nd Respondent. In view of the decision of the learned single Judge of this Court in the case of V.K.Jain and others v/s. Pratap Padode and another, reported in 2005(3) Mah.L.J. page 778, which has been confirmed by the Apex Court, the remedy of filing revision application under section 397 of the said Code is available to the Applicants. In view of the said decision, this Application is not entertained and the same is rejected by leaving open the remedy of the Applicants to file revision application before the appropriate Sessions Court. All questions on merits are expressly kept open.

Judge.